

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS  
MINUTES OF THE MEETING OF**

**February 3, 2006**

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:07 a.m. by John Euphrat, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings, and as listed on the agenda for the Regular Meeting of February 3, 2006 together with the maps and staff reports attached thereto and incorporated therein by reference.

**PUBLIC COMMENT PERIOD**

None

**CONSENT AGENDA:**

None

**NON-HEARING ITEMS:**

1. This being the time set for hearing to consider a request by **MITCH CHOBOIAN** for a Minor Use Permit/Coastal Development Permit to allow a second story addition of approximately 242 square feet to an existing 1,166 square foot single-family residence. The project will result in no new site disturbance of the parcel. The proposed project is within the Residential Single Family land use category and is located at 28 21<sup>st</sup> Street in the community of Cayucos. The site is in the Estero planning area. This project is exempt under CEQA.

**County File No: DRC2004-00109**

Supervisory District: 2

Murry Wilson, Project Manager

Assessor Parcel Number: 064-235-002

Date Accepted: November 14, 2005

**MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through K in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2006-213)

2. This being the time set for hearing to consider a request by **MARGARET FOX** for a Minor Use Permit/Coastal Development Permit to allow a new single story detached 1,990 square foot art studio/storage area/garage to the existing single-family residence. The project will result in the disturbance of approximately 2,900 square feet of a 39,722 square foot parcel. The proposed project is within the Residential Single Family land use category

and is located at 250 Madera St. in the Cabrillo Estates neighborhood of the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

**County File No: DRC2005-00080**

Assessor Parcel Number: 074-485-046

Supervisory District 2

Date Accepted: December 7, 2005

Ryan Hostetter, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2006-214)

3. This being the time set for hearing to consider a Request by **TIM & ANN MARIE RADECKI** for a Minor Use Permit/Coastal Development Permit to add 455 square feet of living area to the existing 1,312 square foot single family residence, and add a new 263 square foot deck. The project will result in a site total of 1,902 square feet of footprint and 1,882 square feet of gross structural area on an approximately 8,750 square foot parcel. The project will not remove any pine or oak trees. The project is located at 2334 Wilcombe Drive in the community of Cambria, in the North Coast Planning Area. This project is exempt under CEQA.

**County File No: DRC2005-00116**

Assessor Parcel Number: 024-041-029

Supervisory District 2

Date Accepted: December 29, 2005

Ryan Hostetter, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through M in Exhibit A and subject to Conditions 1 through 21 in Exhibit B. (Document No. 2006-215)

4. This being the time set for hearing to consider a request by **CHRIS AND HEATHER TRIMBLE** for a Minor Use Permit/Coastal Development Permit to add 1,044 square feet of living area to the existing 815 square foot single family residence, and add a new 676 square foot detached garage. The project will result in a site total of 2,531 square feet of footprint and 2,824 square feet of gross structural area on an approximately 29,764 square foot parcel. The project will not impact or remove any pine or oak trees. The project is located at 1101 Ardath Drive in the community of Cambria, in the North Coast Planning Area. This project is exempt under CEQA.

**County File No: DRC2005-00115**

Assessor Parcel Number: 023-033-012 & -066-022

Supervisory District 2

Date Accepted: December 29, 2005

Ryan Hostetter, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through N in Exhibit A and subject to Conditions 1 through 21 in Exhibit B. (Document No. 2006-216)

5. This being the time set for hearing to consider a request by **JOHN & ALAIIZ HOUGH** for a Minor Use Permit to allow for grading and construction of a single-family residence, detached garage, and driveway. The project will result in the disturbance of approximately 31,400 square feet of a 4.4-acre parcel. The proposed project is within the Residential Suburban land use category and is located on the southeast corner of Valle Vista Place and Via Laguna Vista, approximately one-quarter mile northwest of the City of San Luis Obispo. The site is in the San Luis Obispo planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. Pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq., a Final EIR was completed on October 8, 2002 for the tract map creating the subject property. The project was found to be consistent with the C.O.G. Partnership Tract Map Final EIR and related conditions of approval.

**County File No: DRC2004-00252**

Assessor Parcel Number: 067-221-031

Supervisory District: 2

Date Accepted: December 4, 2005

John McKenzie, Project Manager

#### **MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through I in Exhibit A and subject to Conditions 1 through 51 in Exhibit B. (Document No. 2006-217)

6. This being the time set for hearing to consider a request by **MIKE KNODL** for a Minor Use Permit to allow the partial conversion of an existing barn into a 900 square foot winery. The project will not result in any site disturbance to the eight-acre parcel. The proposed project is within the Rural Lands land use category and is located at 4580 Parkhill Road approximately 250 feet east of La Entrada approximately eight miles of the community of Santa Margarita. The site is in the Las Pilitas planning area. This project is exempt under CEQA.

**County File No: DRC2005-00044**

Assessor Parcel Number: 070-211-028

Karen Nall, Project Manager

#### **MINUTES:**

Hearing Officer: John Euphrat

**Thereafter, on motion of the hearing officer**, the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through F in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2006-218)

**HEARING ITEMS:**

7. This being the time set for hearing to consider a request by **CAROL ANNE DOTY AND DONALD HALSEY** for a Lot Line Adjustment (COAL 05-0283) to adjust the lines between two existing parcels of 5.3 acres and 1.5 acres each. The adjustment will result in two parcels of 5.3 acres and 1.5 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category and is located at 2829-2875 Kip Lane and 942 Mesa View Drive (Highway 1), in the village of Palo Mesa. The site is in the South County (Inland) planning area. This project is exempt under CEQA.

**County File No: SUB2005-00049**

Assessor Parcel Number: 075-281-028, 029

Supervisory District: 4

Date Accepted: December 29, 2005

Michael Conger, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

Others: Don Halsey, applicant; John Belsher, Attorney for Don Halsey.

**Michael Conger, staff**, presents project. Indicates staff has modified the Conditions of Approval on this project request to bring both parcels into conformity prior to the effectuation of the lot line adjustment. States the Department of Planning and Building has written policies that require conditioning for projects that are currently non-conforming. Staff is recommending approval of this Lot Line Adjustment based on Findings and Conditions imposed. Indicates staff received a revised tentative lot line adjustment plan on 2/2/2006, which would result in Parcel C being reduced in size by approx .05 acres. States because Parcel C is already below the minimum required parcel size of 2.5 acres, and the revision would result in a further parcel size reduction, staff would not be able to support the revision. Indicates that if the applicant chooses to pursue approval of this revision, staff would recommend that conditions be included to require that the lot line adjustment result in equal exchange in property with no reduction of the gross acreage on Parcel C.

**Hearing Officer** asks to review the revised lot line adjustment plans presented on 2/2/2006. There is discussion.

**Don Halsey**, applicant, questions parcel size requirements. There is discussion of the proposed acreage change in relation to the previously presented lot line adjustment plan and conformance to County requirements.

The plans are review and discussed by all.

**John Belsher, attorney**, asks for clarification on the map to be used for approval on this project. Requests permission to temporarily exit the hearing room to speak in private with his client.

**There is a brief break in the meeting.**

**Upon Mr. Belsher's return**, he indicates the applicant would like to proceed with the original map presented to staff. Mr. Belsher discusses the issues involved. Discusses the "equal to or better than" issue in detail. Indicates staff was correct in reviewing plans for conformity. Discusses procedures for conformity. Refers to the proposed map. Discusses possible corrections in conformity at length. Discusses non-conformity of set backs on the existing property site. States the applicant would eliminate the mobile home on the property. Discusses Mrs. Doty's residence and related set back. Requests clarification whether this will better the situation as presented. Asks about the possibility of eliminating one of the existing non-conforming dwellings. Discusses the current site plan in detail. Cites historical activity of the property. Discusses community water conditions. Indicates his belief the requested project improves the current situation on the property.

**Michael Conger, staff, responds.** Clarifies staff is not requesting the applicant dispose of four units on Parcel B and refers all to note Conditions #10 through #14 which address density requirements be brought down to two units, one primary and one secondary dwelling unit allowed on the parcel. Discusses setbacks. Refers page 7-3 of the staff report regarding setbacks and the mechanisms one can use to adjust the setbacks. Indicates adjusting the setbacks using these requirements would meet the land use ordinance, bringing the parcel into compliance.

**Hearing Officer** questions discusses revised plan presented by Mr. Halsey and Mr. Belsher and the possibility of continuing the project to include all corrections at one time. Suggests re-labeling the parcels on map.

**Michael Conger**, staff, states existing legal non-conforming dwellings would be allowed to remain on the parcel if the Lot Line Adjustment was not effectuated.

**Hearing Officer** indicates he is prepared to approve this lot line adjustment based upon staff recommendations, or to continue the project if the applicant wishes to take time to bring the new plans into conformance with staff's recommendations.

**Thereafter, on motion of the Hearing Officer**, the Lot Line Adjustment is approved, based on Findings A through D in Exhibit A and subject to Conditions 1 through 14 in Exhibit B, with the addition of Condition #15 to read: "The parcels shall be re-numbered in numerical sequence." (Document No. 2006-219)

8. This being the time set for hearing to consider request by **ARNOLD KLINTWORTH** for a Lot Line Adjustment to adjust the lot lines between three parcels of 245.1, 197.1, 64.5 acres. The adjustment will result in three parcels of 168.9 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located 24425 Highway 41 approximately 5.5 miles east of Atascadero. The site is in the El Pomar-Estrella planning area. This project is exempt under CEQA.

**County File No: SUB2005-00117/COAL05-0371**

Assessor Parcel Numbers:

034-511-011, 034-541-006, -007, and -009

Supervisory District: 1

Date Accepted: 12/29/2005

Holly Phipps, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

Others: Jamie Kirk, agent.

**Holly Phipps, staff**, presents project.

**Hearing officer** clarifies with Ms. Phipps that this project is in the Agriculture Preserve land use category.

**Jamie Kirk, agent**, states intent of Lot Line Adjustment was to bring one sub-standard parcel into conformance with Agriculture Preserve Contract requirements.

**Thereafter, on motion of the Hearing Officer**, the Lot Line Adjustment is approved based on Findings A through E in Exhibit A and subject to Conditions 1 through 10 in Exhibit B.  
(Document No. 2006-220)

9. This being the time set for hearing to consider a request by **BILL NIELSON** for a Lot Line Adjustment to adjust the lot lines between two parcels of 121.66 and 39.11 acres each. The adjustment will result in two parcels of 92.74 and 68.03 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the south side of Estrella Road at 6955 Estrella Road approximately one-half mile north of Paso Robles. The site is in the El Pomar/Estrella planning area. This project is exempt under CEQA.

**County File No: SUB2005-00096/COAL05-0371** APN: 015-013-079 and 019-071-068

Supervisory District: 1

Date Accepted: December 1, 2005

Holly Phipps, Project Manager

**MINUTES:**

Hearing Officer: John Euphrat

Others: Bill Nielson, applicant.

**Holly Phipps, staff**, presents project. Indicates a new Condition #11 has been added to the Conditions of Approval prior to today's meeting, to read: "Prior to recordation of a parcel map or Certificates of Compliance finalizing the Lot Line Adjustment, the property owner shall grant an avigation easement to the County of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel." Explains to Mr. Nielson this gives the San Luis Obispo Airport the right of way to fly over the air space on his property.

**Hearing officer** indicates there is another easement in place, and there is no need for another one.

**Bill Nielson, applicant**, indicates it was his understanding there already was an easement in place for air traffic over his property. States he believes this lot line adjustment is the correct thing to do for the land, and that he is present for any questions.

**Thereafter, on motion of the Hearing Officer**, the Lot Line Adjustment is approved based on Findings A through E in Exhibit A and subject to Conditions 1 through 11 in Exhibit B.  
(Document No. 2006-221)

There being no further business to discuss, the hearing is adjourned.

The next scheduled meeting will be held on Friday, February 17, 2006.

Respectfully submitted,  
Mary Velarde, Secretary  
Planning Department Hearings